

## Morgan Lewis

Morgan, Lewis & Bockius LLP  
77 West Wacker Drive  
Chicago, IL 60601-5094  
Tel. +1.312.324.1000  
Fax: +1.312.324.1001  
www.morganlewis.com

**Kenneth M. Kliebard**  
Partner  
+1.312.324.1774  
kkliebard@morganlewis.com

December 3, 2015

VIA HAND DELIVERY & E-FILING

Honorable James B. Zagel  
U.S. District Court, Northern District of Illinois  
Everett McKinley Dirksen U.S. Courthouse  
219 South Dearborn Street, Chambers 2588  
Chicago, IL 60604

Re: *U.S. Futures Exchange, L.L.C. v. Board of Trade of the City of Chicago*  
Case No. 1:04-CV-6756

Dear Judge Zagel:

I represent Plaintiffs in this case. When we were last in court, on November 10, 2015, your Honor requested that we provide notice to the Court in the event Plaintiffs decided to pursue a mandamus petition. Our clients have decided to pursue that relief, and we will likely file that petition tomorrow. Of course, we will provide a copy to your Honor.

Respectfully submitted,



Kenneth M. Kliebard

KMK/h

cc: Albert L. Hogan, III (via E-Filing)  
Jason T. Manning (via E-Filing)  
Jerold E. Salzman (via E-Filing)